



Application No. 09/681,304

RD-28435

2814

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Typed or printed name: Ann M. Frost

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: R.J. Saia et al.

Application No. 09/681,304

Filed: 15 March 2001

: Group Art Unit: 2814

: Examiner: D. Nguyen

: Response to Paper No. 3

For **Microelectromechanical System
Device Package and Packaging Method**

RESPONSE TO SECOND REQUIREMENT FOR RESTRICTION

Assistant Commissioner for Patents,
Washington, DC 20231

By telephone on 10/22/01, a restriction requirement was issued identifying:

Group I. Claims 1-19, drawn to a Method for making semiconductor device classified in class 438, subclass 118; and

Group II. Claims 20-25, drawn to a semiconductor device, classified in class 257, subclass 758.

Applicants elected Group 1 without traverse.

In Paper No. 3, the Examiner required an affirmation of the election. Applicants hereby affirm the election of Group I, lines 1-19.

In Paper No. 3, the Examiner further stated that the remaining claims 1-19 were directed to patentably distinct species identified as:

First embodiment: figs. 1-7, directed to claims 1-15.

Second embodiment: figs. 8-13, directed to claims 16-19.

Third embodiment: figs. 14-17.

The Examiner further stated that there is no generic claim and that Applicant must identify the species that is elected and a listing of all claims readable thereon.

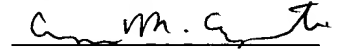
Applicants elect to prosecute the species of the first embodiment and list the claims as claims 1-8, 16, and 19. Applicants respectfully traverse the implication in Paper No. 3 indicating that claims 1-15 represent claims of the first embodiment. Applicants additionally traverse the statement that there is no generic claim and respectfully submit that claim 1 is generic to all three embodiments and that claim 16 is generic to the first and second embodiments.

Furthermore, Applicants submit that the claims in the three identified embodiments in the instant invention are so interrelated that they require a search of the same technical arts. Thus, Applicants further submit that the search and examination of the three identified embodiments in claims 1-19 can be made without serious burden (kindly see MPEP 803).

#4
Election
FJONES
1-18-02

In any event, in keeping with the requirement under 35 USC 121, Applicant has elected, for examination, the species of the first embodiment, claims 1-8, 16, and 19.

Respectfully submitted,



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